

## **REMARKS/ARGUMENTS**

### **Status of Application**

The Office Communication mailed November 3, 2004 rejected claims 16-18, 22-24, 29-32, 37 and 40-42 under 35 U.S.C. §102(e) in view of U.S. Patent No. 6,409,602 to Wiltshire et al. (hereinafter "Wiltshire"). Claims 1, 2-4, 8-12, and 27-28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wiltshire in view of U.S. Patent No. 5,762,552 to Vuong et al. (hereinafter "Vuong"). Claims 5, 13, 19, and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wiltshire in view of Vuong and further in view of U.S. Patent No. 6,098,985 to Moody et al. (hereinafter "Moody"). Claims 6, 7, 14, 15, 20, 21, 26, 38, and 39 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wiltshire in view of Vuong and further in view of U.S. Patent No. 6,089,982 to Holch et al. (hereinafter "Holch").

In view of the following remarks, reconsideration of the application is respectfully requested.

### **Claims 1-8**

Claim 1 is directed to a gaming system that includes at least three separate servers: a first gaming server that facilitates play of a first game, a second gaming server that facilitates play of a second game, and a separate website server that is capable of being operatively coupled to the first and second gaming servers. The first gaming server is programmed to facilitate play of a first game and the second gaming server is programmed to facilitate play of a second game. The first and second gaming servers are separate devices, each having their own controllers that include a processor and a memory. The third server device in the gaming system of claim 1, the website server, is also a separate device that includes its own controller with a processor and memory. The website server is programmed to perform a number of functions as recited in pending claim 1.

Wiltshire generally discloses a gaming system in a client/server configuration. The Wiltshire system utilizes a network interface 115 to connect a single server/host computer 110 to client/terminal computers 120. *Wiltshire* Col. 5, lines 39-40. Nowhere in Wiltshire does it appear to disclose or suggest a system that is configured to divide functionality between three or more separate servers such as the system recited in claim 1. In particular, Wiltshire does not disclose or suggest the use of a website server that is capable of being operatively coupled to a first gaming server that facilitates play of a first game and a second gaming server that facilitates play of a second game.

Furthermore, Wiltshire does not appear to disclose or suggest programming a website server controller to: (1) select logon display data and to cause the logon display data to be transmitted to one of a number of remote player devices; (2) cause player data received from a remote player device to be stored in memory; (3) cause data representing a game selection display to be transmitted to the remote player device; (4) receive data representing a game selection from the remote player device; (5) facilitate data communication between the remote player device and the first gaming server if the player selected the first game for play; and (6) facilitate data communication between the remote player device and the second gaming server if the player selected the second game for play. While claim 1 of Wiltshire discloses that one or more server/host computers may be used, nowhere in Wiltshire does it appear to disclose or suggest dividing functionality between a first and a second gaming server and a separate website server.

Vuong is directed to a network gaming system that is similar to Wiltshire. As with Wiltshire, Vuong does not appear to disclose or suggest dividing functionality between a first and a second gaming server and a separate website server as recited in pending claim 1. Thus applicant submits that it cannot be obvious to modify Wiltshire in view of Vuong to create the invention in claim 1 because neither reference discloses or suggests a system that divides functionality between a first and a second gaming server and a website server.

Thus, applicant submits that the Examiner has not carried the required burden to establish a *prima facie* case of obviousness because there is not disclosure or suggestion in the cited references to modify or to combine them to achieve the invention claimed. As such, applicant submits that claim 1 and claims 2-8 which depend therefrom, are in condition for allowance.

#### **Claims 9-15**

Claim 9 is directed to a website server that is coupled to a plurality of remote player devices, wherein the website server is programmed to facilitate data communications between the remote player devices and two separate gaming servers. The first gaming server facilitating play of a first game and the second gaming server facilitating play of a second game.

It is respectfully submitted that, similar to claim 1, neither Wiltshire nor Vuong appear to disclose programming a controller of a separate website server to: select logon display data and to cause the logon display data to be transmitted to one of a number of remote player devices; cause player data received from a remote player device to be stored in memory; cause data

representing a game selection display to be transmitted to a remote player device; receive data representing a game selection from a remote player device; and facilitate data communications between a remote player and a separate gaming server. Both Wiltshire and Vuong appear to utilize the same computer for all server functionality. Therefore, it is respectfully submitted that claim 9 and claims 10-15 which depend therefrom, are allowable over Wiltshire in view of Vuong.

#### **Claims 16-21**

Claim 16 is directed to a website server that is coupled to a plurality of remote player devices, wherein the website server is programmed to facilitate data communications between the remote player devices and two separate gaming servers. The first gaming server facilitating play of a first game and the second gaming server facilitating play of a second game.

It is respectfully submitted that, similar to claim 9, Wiltshire does not appear to disclose programming a controller of a separate website server to: retrieve from a memory data prompting a game selection to be made, and to cause the data prompting a game selection to be made to be transmitted to a remote player device to prompt a player to select at least a first game or a second game; receive data representing a game selection from a remote player device; and facilitate data communications between a remote player and a separate gaming server. Therefore, it is respectfully submitted that claim 16 and claims 17-21 which depend therefrom, are not anticipated by Wiltshire.

#### **Claims 22-26**

Claim 22 is directed to a website controller that controls the operation of a website, the website controller including its own processor and memory operatively coupled to the processor. The memory of the website controller stores program portions that facilitate data communication between a remote player device and at least two separate gaming computers. The first gaming computer is separate from the website controller and is adapted to facilitate play of a first game if the first game is selected by a player and the second gaming computer is also separate from the website controller and is adapted to facilitate play of a second game if the second game is selected by a player.

It is respectfully submitted that Wiltshire does not appear to disclose a system that is configured to divide functionality between a website controller and at least two separate gaming computers such as the system recited in claim 22. In particular, Wiltshire does not disclose the

use of a separate website controller that controls the operation of a website to facilitate data communication between a remote player device and at least two separate gaming computers. More specifically, Wiltshire does not appear to disclose storing in a separate website controller's memory a computer program portion that causes data prompting a game selection to be made to be transmitted to a remote player device to allow a first game or a second game to be selected via the remote player device.

Furthermore, Wiltshire does not appear to disclose storing in the separate website controller's memory a computer program portion that causes game selection data representing a game selection that is received from the remote player device to be stored in memory. Wiltshire appears to use the same Server/Host Computer (110) for all aspects of data transmission as well as for facilitating play of games selected by the remote players. Therefore, it is respectfully submitted that claim 22 and claims 23-26 which depend therefrom, are allowable over Wiltshire.

#### **Claims 27-28**

Similar to claim 22, claim 27 is directed to a method of operating a website computing apparatus that includes its own processor and memory and includes retrieving logon display data from a memory associated with the website computing apparatus and transmitting the logon display data from the website computing apparatus to a remote player device over the Internet. The method also includes facilitating data communication via the Internet between a remote player device and at least two separate gaming computers. Nowhere in either Wiltshire nor Vuong do they appear to disclose or suggest using a separate website computing apparatus to facilitate data communication between a remote player device and one of at least two separate gaming computers.

Furthermore, Wiltshire and Vuong do not appear to disclose or suggest retrieving any type of data from a memory associated with a separate website computing apparatus, let alone retrieving logon display data from a memory associated with a separate website computing apparatus and transmitting the logon display data from the website computing apparatus to a remote player device over the Internet. Wiltshire appears to only disclose passing data from the server/host 110 through the network interface to the client/terminal 120 and passing data from the client/terminal 120 through the network interface to the server/host 110. Vuong appears to describe a similar structural arrangement. For the foregoing reasons, it is respectfully submitted that claim 27 and claim 28 which depends therefrom are in condition for allowance.

### **Claims 29-32**

Similar to claim 27, amended claim 29 is also directed to a method of operating a website computing apparatus. The method includes initiating at the separate website computing apparatus the retrieval of game display data from a first gaming apparatus that facilitates play of a first game and initiating the retrieval of game display data from a second gaming apparatus that facilitates play of a second game. remote player device and at least two separate gaming computers.

It is respectfully submitted that Wiltshire does not appear to disclose a method of operating a website computing apparatus that includes initiating the retrieval of game display data from a first gaming apparatus that facilitates play of a first game if the game selection data represents the first game, which is performed at a separate website computing apparatus. Neither does Wiltshire appear to disclose initiating the retrieval of game display data from a second gaming apparatus that facilitates play of a second game if the game selection data represents the second game, which is also performed at the separate website computing apparatus. Therefore, it is respectfully submitted that claim 29 and claims 30-32 which depend therefrom, are allowable over Wiltshire.

### **Claims 37-41**

Claim 37 is directed to a method of operating a gaming apparatus that includes transmitting first game display data from the gaming apparatus to a separate website computing apparatus. The method also includes receiving at the gaming apparatus wager data from the website computing apparatus that is included in a data communication having a source address that specifies a particular player device that is remote from the website computing apparatus, transmitting second game display data from the gaming apparatus to the website computing apparatus that is included in a data communication having a destination address that specifies the player device, and transmitting outcome data from the gaming apparatus to the website computing apparatus that is included in a data communication having a destination address that specifies the player device.

It is respectfully submitted that Wiltshire does not appear to disclose a similar method having the functionality discussed above. This is because Wiltshire does not disclose dividing functionality between a gaming apparatus and a separate website computing apparatus. As previously discussed, Wiltshire appears to use the server/host computer 110 to perform the

functionality recited in pending claim 37. Thus, it is respectfully submitted that claim 37 and claims 38-41 which depend therefrom, are allowable over Wiltshire.

#### **Claim 42**

Claim 42 is directed to a gaming controller that is coupled to a separate website computing apparatus, wherein the gaming controller includes a number of program portions that are stored in memory that cause a number of actions to be performed. Applicants respectfully submit that independent claim 42 is allowable at least for reasons similar to those discussed above with respect to claim 37.

#### **Conclusion**

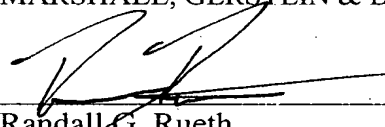
In view of the foregoing, it is respectfully submitted that the above application is in condition for allowance. If there is any matter that the Examiner would like to discuss, the Examiner is invited to contact the undersigned representative at the telephone number set forth below.

Respectfully submitted,

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